

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL SALLOUM,

Plaintiff,

Case No. 19-cv-13505
Hon. Matthew F. Leitman

v.

CHARLES KABLE IV, *et al.*,

Defendants.

**ORDER GRANTING PLAINTIFF LEAVE
TO FILE A FIRST AMENDED COMPLAINT**

On November 26, 2019, Plaintiff Samuel Salloum filed this action against Defendant Charles Kable IV and others. (*See* Compl., ECF No. 1.) In the Complaint, Salloum alleges that he has wrongfully been placed in the federal government's Terrorist Screening Database and that as a result of that placement, he has been subjected to additional screenings and interrogations when travelling. (*See id.*)

The named Defendants¹ have now filed a motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). (*See* Mot., ECF No. 8.) Defendants argue, among other things, that Salloum has failed to plead sufficient facts in support of at least some of his claims. (*See id.*)

¹ Salloum also brings claims against unidentified "John Doe" and "Jane Doe" Defendants.

Without expressing any view regarding the merits of the motion to dismiss, the Court will grant Salloum the opportunity to file a First Amended Complaint in order to remedy the purported pleading defects that Defendants have raised in their motion. The Court does not anticipate allowing Salloum another opportunity to amend to add factual allegations that he could now include in his First Amended Complaint. Simply put, this is Salloum's opportunity to allege any and all additional facts, currently known to him, that may cure the alleged pleading deficiencies in the Complaint and that could support the essential elements of his claims.

By **March 3, 2020**, Salloum shall notify the Court and Defendants in writing whether he will amend the Complaint or respond to the motion to dismiss. If Salloum provides notice that he will be filing a First Amended Complaint, he shall file that amended pleading by no later than **March 17, 2020**, and Defendants shall answer or otherwise respond to it by no later than **April 14, 2020**. Upon the filing of a First Amended Complaint, the Court will terminate without prejudice Defendants' currently-pending motion to dismiss as moot. If Salloum provides notice that he will not be filing a First Amended Complaint, he shall file responses to Defendants' motion to dismiss in accordance with the Court's Local Rules.

IT IS SO ORDERED.

Dated: February 18, 2020

s/Matthew F. Leitman

MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 18, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764